



## *Muscogee (Creek) Nation*

*George P. Tiger*  
Principal Chief

*Executive Office*

*Roger Barnett*  
Second Chief

July 24, 2012

Bristow Indian Community  
Attn: Anita White  
26235 S. 339 W. Ave  
Bristow, OK 74010

RE: Constitution and By-Laws

Dear Bristow Indian Community:

Please find enclosed the final amended Constitution and By-Laws of the Bristow Indian Community approved and signed.

If you have any questions, please feel free to contact my office.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "George P. Tiger".

George Tiger  
Principal Chief

Chief George Tiger

I am enclosing the final copy of the amended Constitution and By-Laws of the Bristow Indian Community. Our committee has been working on these since we have gotten our community back. Roger Wiley has been working with us on this endeavor. We received the community's approval with amendments on June 7, 2012. I corrected the amendments and am sending to you for final approval.

MVTO,

*Anita White*

Bristow Indian Community

Att: Anita White

26235 S 339 W Ave

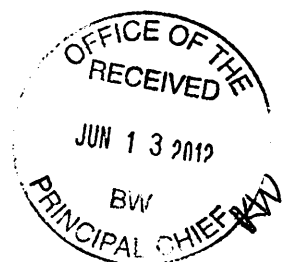
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Cc: Roger Wiley



# **CONSTITUTION AND BY-LAWS OF THE BRISTOW INDIAN COMMUNITY**

## **Preamble**

We, the members of the Bristow Indian Community of the Muscogee Creek Nation, in order to promote our common welfare and to secure and obtain for ourselves and for our posterity the benefits, rights, privileges, and powers offered to us by and/or through the Muscogee (Creek) Nation, do hereby adopt and ordain the following Constitution and By-Laws of the Bristow Indian Community.

## **Article I-Objectives**

Section1. To promote the general welfare of the Bristow Indian Community and its members by obtaining the benefits, rights and privileges provided by the law of the Muscogee (Creek) Nation.

## **Article II-Name**

The name of this chartered Community shall be the Bristow Indian Community.

## **Article III-Community Location**

Section1. The Bristow Indian Community resides in Creek County, Oklahoma and its boundaries are herein defined as:

Beginning at the point on the East Creek County line one-half (1/2) mile south of the northeast Corner of Section 12, Township 15 North, Range 10 E, (the same being the Southeast corner of the Kellyville Indian Community boundary). For a point beginning; thence South along the Creek-Okmulgee line; thence West along, the Creek-Okfuskee County Line to the Lincoln County Line; thence North along the Creek-County Line and the Creek-Payne County Line, to the center of Oklahoma State Highway 33; thence East along the center of State Highway 33 to the West boundary of the Kellyville Muscogee Indian Community (the same being at a point on the West boundary of Section 34, Township 18 north, Range 9 East); thence in a South and Easterly direction along the West and South boundaries of the Kellyville Muscogee Indian Community to the point of beginning.

Section 2. The physical address of the Bristow Indian Community shall be located at 710 South Main, Bristow, Oklahoma 74010.

## **Article IV-Membership**

Section 1. All Muscogee (Creek) Indians, who have established residency in the Community are eligible for membership provided that they abide by the rules and

regulations set forth by Muscogee (Creek) Nation and Bristow Indian Community. Muscogee (Creek) Indian is defined by Article III of the Muscogee (Creek) Nation Constitution.

Section 2. Any Indian person other than a Muscogee (Creek) Indian who desires a membership may come before the BIC to be accepted as an associate member. An associate membership only allows a person to participate in activities of the BIC, but does not allow a person the right to vote or hold office, or receive benefits available to full members.

Section 3. Indian is defined as a person who is an enrolled member of a federally recognized Indian tribe, nation, band, pueblo, rancho or Alaskan native.

Section 4. Voting membership is limited to each eligible individual who is an enrolled citizen of the Muscogee (Creek) Nation and has reached the age of 18 years, and has been a member of the BIC for at least thirty days.

Section 5. Application for membership must be submitted at least one week prior to the monthly meeting. To become a member of the BIC a person must bring Citizenship Card, and address verification (for example: current utility bill). A person would need to be present at the next monthly meeting to be approved by the community members and be eligible to vote at the following monthly meeting. In order to maintain membership, Community members must continue to reside within the boundaries of the Community.

### **Article V-Governing Body**

Section 1. The governing body shall be known as the Bristow Indian Community and shall have elected officers.

Section 2. All elected officers must be ¼ degree or more Muscogee (Creek) Indian and at least 21 years of age, and shall have been a voting member of the BIC for a period of at least one year, immediately prior to filing for office.

Section 3. Elected officers shall bring all business before the BIC, to be voted upon by the BIC, and shall be bound by the vote of the members present, except for day to day operations, such as utilities and supplies.

Section 4. The officers elected by the BIC shall be a Chairman, Vice-Chairman, and Secretary/Treasurer. The term of office shall be for a period of two years, beginning on October 1<sup>st</sup>, and ending September 30<sup>th</sup>. To start the Chairman will serve a one year term. The Vice-Chairman and Secretary/Treasurer will serve a two year term. Each term thereafter shall be two year terms. In the event an officer cannot serve their term, there will be a special election to fill that term of office. No person shall serve more than two terms in the same office. No elected official of the BIC shall be employed in any capacity by the BIC, or any of its enterprises; and shall not individually contract or do business with the Community for private gain, and cannot own, partly own or be employed with

any enterprise that contracts or does business with the Community. All officers shall be elected by a majority of the BIC membership voting at an election set by the BIC Election Board. Notice of the election shall be published in the local newspaper, and posted on the front door of the BIC Center, at least thirty days prior to the election.

Section 5. BIC officers may be compensated, if approved by the BIC members. Compensation will be taxable. Compensation may be made for the regular monthly scheduled meeting only. The Officers compensation may not be increased during their term of office. Any change in compensation shall take effect for the next term of office.

Section 6. In order to avoid a conflict of interest, immediate family members shall not hold an elected office position in the Community, at the same time. Immediate family members consist of spouse, parents, and grandparents, children and grandchildren, brothers and sisters, mother in law, father in law, brothers in law and sisters in law, daughter in law and sons in law. Adopted and step members are also included in immediate family.

## **Article VI - Business Board**

Section 1. The BIC shall establish a Business Board, which shall be appointed by the Chairman, approved by the Community and by the vote of the BIC members present at a regularly scheduled BIC meeting. If approved by the BIC members, the Business Board may be compensated as approved by the community. Compensation would be taxable. The Business Board will consist of five members: a Chairman, Vice-Chairman, Secretary and two members. The Community Chairman shall appoint the Business Board officers. The Chairman and two members will first serve a one year term. The Vice Chairman, and Secretary will serve a two year term. Each term thereafter shall be two year terms, at which time the Community Chairman shall appoint, or reappoint board members. In the event a board member cannot finish their term, the Chairman may appoint someone to finish their term. The Business Board will oversee all business enterprises of the BIC and their managers. The Business Board will approve/disapprove anyone wanting to get on the Community's monthly agenda. The Business Board shall present a monthly business report to the Community and shall see that the Audit is completed yearly and sent to the Muscogee (Creek) Nation Principal Chief, the National Council, and the Controller, in a timely manner. An elected Officer of the BIC may not serve on the Business Board. The Business Board members and officers shall have been a member of the BIC for a period of at least one year, immediately prior to serving on the Business Board.

Section 2. The removal of a Business Board member may be requested, by any Community Member, to one or more of the elected officers of the BIC. If removal is deemed necessary, the Chairman may remove a member, pending the majority vote of the BIC members present at a regular meeting. Cause for removal may be: (a) conduct detrimental to the interest of the Community; (b) refusal to render reasonable assistance in carrying out the community purposes; or (c) failure to attend three (3) consecutive regularly scheduled Business Board or BIC meetings. Prior to removal of a Board

Member, the Board Member shall be provided reasonable notice of requested removal, and shall be allowed the opportunity to speak in his/her defense.

### **Article VII – Election of Officers**

Qualifications for a position of the Officers:

1. Must be a member of the Bristow Indian Community for at least one year prior.
2. Must be a full citizen of the Muscogee (Creek) Nation, as defined in Article III, of the Constitution of the Muscogee (Creek) Nation.
3. Must be at least 21 years of age.

The procedure for electing the Officers shall be as follows:

1. Interested Candidates shall submit a letter of intent to the Election Committee no later than July 1<sup>st</sup>, of the election year. The Election Committee shall oversee the election process and shall set the election date for the first week in August. A Candidate may not run for more than one office at a time.
2. Notice of the candidates shall be published in the local newspaper and posted on the front door of the Community Center no later than July 15<sup>th</sup>. Notice of the election shall state the names of all persons running for office and which office he/she is running for.
3. The Election shall be held the first week in August to elect officers. The Officers shall be elected by a majority vote of the Community members present at the Election.
4. Each candidate shall be subject to an OSBI background check and shall bear the cost of the background check. The Election Committee Secretary shall request a background check by July 2<sup>nd</sup> of election year. If the background check reveals that a candidate has been convicted of a felony within the past ten years, the candidate is disqualified from running for office. The Election Committee Secretary shall notify the candidate that he/she is disqualified.
5. The Election Committee as any committee of the BIC, shall be appointed by the Chairman and approved by the BIC voting members present at that meeting. They shall serve a one year term.
6. Each Community member that has been a member for at least 30 days, shall be eligible to vote. Elections shall be held by hand-counted secret ballot. In the event of a tie, a special election shall be held by hand-counted secret ballot, by the majority of the votes cast at the special election.
7. Vacancy of an officer shall be filled at a Special Election called by the Election Committee within thirty days after the vacancy occurs. The person

elected shall fulfill the remaining term of the vacated office. The special Election shall be by secret ballot voting. In order to be elected to office, a candidate must receive a majority of votes cast by those Community members present, at the Special Election.

### **Article VIII-Removal of Elected Officers**

Removal of elected officers for any alleged misconduct may be requested by any Community member, to be considered by the Bristow Indian Community at a special meeting called for that purpose. Any elected officer may be removed from office by the affirmative vote of two-thirds of the votes cast at the special meeting. Cause for removal may be: (a) conduct detrimental to the interest of the Community; (b) refusal to render reasonable assistance in carrying out the Community purposes; or (c) failure to attend three consecutive regularly scheduled meetings of the Community. Any officer subject to removal shall be entitled to at least five days written notice of the special meeting at which removal is to be considered, as well as the cause for such removal. The elected officer who is subject to removal shall be entitled to appear before the Community and to be heard at such special meeting.

### **Article IX-Amendments**

A. The Constitution and By-Laws may be amended by a committee appointed for that purpose by the BIC members. Amendments may be adopted or rejected by a 2/3 affirmative vote by show of hands of the BIC members present at a special meeting of the BIC.

B. Copies of the proposed amendment shall be posted at the Community Center. Published written notice of the time and date of the special meeting shall be posted no less than the ten days before the special meeting. The proposed amendment shall be read aloud at the meeting. At the special meeting, only a proposed amendment that has been presented to the community in accordance with this article may be considered. Such proposed amendment may either be (1) adopted as written by a majority vote or (2) rejected.

C. Amendments ratified by the BIC membership shall be submitted to the Office of the Principal Chief of the MCN for approval, and shall have full force and effect from the date of approval. The Principal Chief shall provide approval or disapproval in writing within sixty days, citing reason if deemed unapproved. Failure to respond in the allotted time frame shall be considered an act of approval.

### **Article X-Duties of Elected Officers**

Section 1. It shall be the duty of the Elected Officers to promote the general welfare of the community members according to this Constitution and By-Laws.

Section 2. It shall be the duty of the Chairman to preside over all meetings. All elected officers shall assist the Chairman in all proper ways to carry out the decisions of the Governing Body. The Vice-Chairman shall act in the absence of the Chairman.

Section 3. The Secretary-Treasurer shall keep in full a written report and an audio recording of all proceedings of each regular and special meeting of the Bristow Indian Community, and shall keep an account of all receipts and disbursements and shall report the same to the Community. The written minutes shall only become official when approved by a majority vote of the Community Members present. The Secretary shall post the agenda on the front door of the BIC Center, at least two days prior to the meeting. Anyone wanting to be on the agenda must come before the Business Board at their meeting, to be approved/disapproved to be put on the agenda, prior to the BIC monthly meeting. All Community members who are Muscogee (Creek) citizens shall have the right to examine any and all records of meetings and monetary transactions, at the BIC Center. All these records shall be kept and maintained at the office of the Bristow Indian Community. In case of the absence of the Secretary-Treasurer, at any regular or special meeting, the Vice-Chairman shall keep the minutes of the Community meeting.

#### **Article XI-Meetings**

Section 1. Membership meetings shall be held monthly from the date of adoption of these Constitution and By-Laws.

Section 2. Regular meetings of the Bristow Indian Community shall be held monthly from the date of the adoption of this Constitution and By-Laws. Meetings are on the third Tuesday of each month.

Section 3. Special meetings may be held upon two days notice. Notice of a meeting shall specify the date, time and place of the meeting, but need not specify the purpose, or the business to be conducted, except as provided in Article VIII and IX.

#### **Article XII-Order of Business**

Section 1. The order of business of the Governing Body shall be as follows: (1) Call to order by presiding officer, (2) invocation, (3) reading of minutes of previous meeting, (4) adoption of minutes by vote, (5) business reports by business managers, (6) Business Board reports, (7) committee reports, (8) Unfinished business, (9) new business, (10) benediction, and (11) adjournment. The order of business may be modified as necessary.

#### **Article XIII-Checks, Deposits and Annual Audits**

Section 1. Dual signatures by the Treasurer and a designated officer of the Community are required for all checks, drafts, or other orders for the payment of money, notes, or other evidence of indebtedness, issued in the name of the Community. In order to disperse a check or draft, the check or draft must contain the signature of the treasurer



and a designated officer. The officers must each be bonded. The officers must present all documentation needed for the auditor to make his report. They shall assist the Business Board to make sure the audit gets presented in a timely manner. The audit must be completed and presented to Creek Nation before January 15<sup>th</sup> of the following year.

Section 2. The Business Board shall present to the MCN Principal Chief, the National Council, and the Controller, an annual audit, which meets all requirements of any applicable tribal law prepared in accordance with generally accepted accounting principles and certified by the MCN Controller.

#### **Article XIV-Adoption**

This constitution and By-Laws shall become effective when approved by the Principal Chief of the Muscogee (Creek) Nation.

Therefore, I, George Tiger, Principal Chief of the Muscogee (Creek) Nation, do hereby approve this Constitution and By-Laws as requested by the Bristow Indian Community.

  
\_\_\_\_\_  
George Tiger, Principal Chief

7-24-12  
Date

  
\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness